



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/560,659	First Named Inventor: Andrew Austen Mortlock
Filing Date: 12/13/2005	Attorney Docket No.: 101117-1P US
Examiner: Truong, Tamthom Ngo	Group Art Unit: 1624
Customer No.: 44992	Confirmation No.: 2270
Title: CHINAZOLINE DERIVATIVES AS AURORA KINASE INHIBITORS	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT FOR RESTRICTION/ELECTION

Dear Sir:

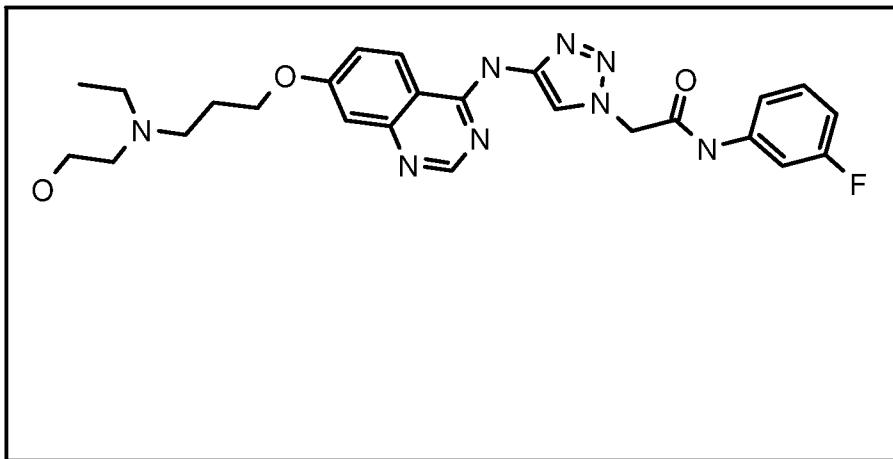
In accordance with the Office Action dated September 30, 2008, Applicant is required to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable.

In this regard, the Examiner has suggested that the species as recited in claim 23, and which fall within the generic invention, "are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1." In contrast, Applicants assert that the technical feature that forms the single general inventive concept under PCT 13.1 relates to the compounds ability to treat hyperproliferative disease. In particular, Applicants respectfully remind the Examiner of the language of PCT Rule 13.2 which states:

Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. *The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.* (Emphasis added)

In this respect, the species listed in claim 23, and the cumulative substitution reflected thereon contribute to the structure of claim 1, which finds use in treating hyperproliferative disease; and thus contribute, as a whole, to the general inventive technical feature over the teachings and suggestions of the prior art.

However, solely in accordance with the requirements of this Office Action, Applicants hereby elect the 17th compound in claim 23: 2-{4-[(7-{3-[ethyl(2-hydroxyethyl)amino]propoxy}quinazolin-4-yl)amino]-1H-1,2,3-triazol-1-yl}-N-(3-fluorophenyl)acetamide, which may be structurally represented as



The claims on which this species are readable include 1-8, 14, 18, 19, and 23.

Such election was made for searching purposes only, and it is Applicants understanding that Applicants will be entitled to consideration of additional species should the Examiner's search indicate the allowability of the presently elected species.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 50-3231, referencing Attorney Docket No. 101117-1P US.

Respectfully submitted,

/Jacob G. Weintraub/

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